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14 *Attorneys for Lead Plaintiff Bradley Sostack*

15 UNITED STATES DISTRICT COURT  
16 NORTHERN DISTRICT OF CALIFORNIA  
17 OAKLAND DIVISION

18 In re RIPPLE LABS INC. LITIGATION,  
19

Case No. 4:18-cv-06753-PJH (RMI)  
Formerly Consolidated/Related  
Case No. 4:21-cv-06518 (Closed 9-27-21)

20 This Document Relates To:  
21 ALL ACTIONS

CLASS ACTION

**DECLARATION OF NICHOLAS N.  
SPEAR IN SUPPORT OF LEAD  
PLAINTIFF'S OPPOSITION TO  
DEFENDANTS' MOTION TO STRIKE  
REBUTTAL REPORT OF PLAINTIFF'S  
EXPERT**

Consolidated First Amended Complaint Filed:  
March 25, 2020

1 I, Nicholas N. Spear, hereby declare as follows:

2 1. I am a member in good standing of the bar of the State of California, a partner with  
3 the law firm of Susman Godfrey L.L.P., and counsel of record for Lead Plaintiff Bradley Sostack.  
4 I have personal knowledge of the facts set forth herein, and if called as a witness, would testify  
5 competently thereto.

6 2. I make this declaration in support of Lead Plaintiff's "Opposition to Defendants'  
7 Motion to Strike Rebuttal Report of Plaintiff's Expert."

8 3. Attached as **Exhibit 1** is a true and correct copy of an email chain ending on  
9 December 6, 2022.

10 4. Attached as **Exhibit 2** is a true and correct copy of Lead Plaintiff's Responses to  
11 Defendant Ripple Labs Inc.'s First Set of Interrogatories, served on January 9, 2023.

12 5. Attached as **Exhibit 3** is a true and correct copy of the January 20, 2023 deposition  
13 transcript of Dr. Steven P. Feinstein.

14 6. Attached as **Exhibit 4** is a true and correct copy of the March 8, 2023 deposition  
15 transcript of Dr. Mukarram Attari.

16 7. On April 4 and 5, 2023, the parties met and conferred over telephone and email  
17 about an additional deposition for Dr. Feinstein. Attaches as **Exhibits 5** and **6** are true and correct  
18 copies of email chains, ending on April 5, 2023, relating to these efforts. In these communications,  
19 Defendants' counsel told Lead Plaintiff's counsel that they reserved the right to move to compel  
20 an additional deposition if the parties could not agree. Defendants never informed Lead Plaintiff  
21 that they intended to file a motion to strike, and the parties never met and conferred about a motion  
22 to strike.

23 I declare under penalty of perjury under the laws of the United States of America that the  
24 foregoing is true and correct.

25 Executed this 19th day of April, 2023, at Los Angeles, California.

26 /s/ Nicholas N. Spear

27 Nicholas N. Spear